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October 4, 2007

The Honorable Mary Pat Thyng  
United States District Court  
For the District of Delaware  
844 North King Street  
Wilmington, DE 19801

VIA ELECTRONIC FILING

Re: *Codon Devices, Inc., et al. v. Blue Heron Biotechnology, Inc.*  
C.A. No. 07-148 (\*\*\*)

Dear Judge Thyng:

Pursuant to paragraph 7 of the Scheduling Order, I write on behalf of both parties to report on the status of this case. The parties are attempting to resolve this matter and are in the process of scheduling a settlement meeting. Accordingly, they request that the status conference scheduled for October 15, 2007 at 4:00 p.m. be taken off the Court's calendar.

The parties also request that the status conference be rescheduled for a time shortly after Thanksgiving, in the event that they are unable to resolve this matter by then. In that case, the parties may request that the remaining deadlines in the case be rescheduled.

Respectfully,

/s/ Jack B. Blumenfeld

Jack B. Blumenfeld (#1014)

JBB/dlb

cc: Clerk of Court (Via Hand Delivery)  
Richard L. Horwitz, Esquire (Via Hand Delivery and Electronic Mail)  
M. Patricia Thayer, Esquire (Via Electronic Mail)  
Edward R. Reines, Esquire (Via Electronic Mail)